



December 18, 2012

VIA ELECTRONIC FILING

Marlene H. Dortch
Secretary
Federal Communications Commission
445 Twelfth Street, S.W.
Washington, D.C. 20554

**Re: Ex Parte Communication, WC Docket No. 11-59, PS Docket No. 11-60,
WT Docket No. 10-88, RM 11349**

Dear Ms. Dortch,

On December 13, 2012, Jonathan Adelstein, Alex Reynolds, D. Zachary Champ and the undersigned of PCIA—The Wireless Infrastructure Association (“PCIA”) and The DAS Forum met with Jeffrey Steinberg, Dan Abeyta, Don Johnson, Stephen DelSordo, and Peter Trachtenberg of the Wireless Telecommunications Bureau. Discussion at the meeting focused on issues impacting the deployment of wireless infrastructure. The conversation largely focused on areas discussed in comments previously filed in the above-captioned dockets.

As the Commission prepares for hearings on reliability and continuity of communications networks, PCIA noted the several factors impacting the efficient use of back-up power for wireless facilities, including the wide array of state and local zoning, environmental, and noise laws that may limit the use of generators and batteries at certain facilities.¹ PCIA also noted the inherent characteristics and deployment methodologies of DAS and small cell solutions that impact their use of backup power. Often DAS and small cells are used to address capacity and coverage in areas where macro wireless sites may not be feasible, and their ability to provide this vital function could be hampered by rigid backup power requirements.²

PCIA highlighted its joint effort with the National Association of Telecommunications Officers and Advisors (“NATOA”) to develop siting best practices to accelerate broadband deployment, and noted areas in which FCC action can continue to facilitate this national goal, including:

- Clarifying the vocabulary of section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012.³
- Developing and updating educational materials for consumers on radio frequency emissions and the FCC’s body of regulation on the subject.⁴
- Revisiting the concepts within the National Historic Preservation Act and the National Environmental Policy Act and the two Nationwide Programmatic Agreements to account for DAS and small cell technologies and “twilight towers.” In recognition of the minimal impact of small cell and DAS deployments and their efficient use of existing structures, DAS and small cell deployments should be

¹ See Comments of PCIA—The Wireless Infrastructure Association and The DAS Forum, PS Docket No. 11-60, at 4-6 (July 7, 2011).

² *Id.* at 8.

³ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, § 6409(a) 126 Stat. 156 (2012).

⁴ See Comments of PCIA—The Wireless Infrastructure Association and The DAS Forum, WC Docket No. 11-59, at 46-47 (July 17, 2011) (“Broadband Acceleration Comments”). See also Ex Parte of PCIA—The Wireless Infrastructure Association, WC Docket No. 11-59 (filed Feb. 6, 2012).

excluded from Section 106 review, or in the alternative included within the “Note 1 exemption” within the FCC’s environmental rules.⁵

- Continuing its vital advisory role on the Accelerating Broadband Deployment on Federal Lands Working Group and engaging the industry on workable deployment practices and solutions on federal property.
- Acting swiftly to modernize the rules governing the marking and lighting of antenna structures to provide regulatory certainty and operational efficiency for antenna structure owners, while continuing to ensure the safety of airmen.⁶

Pursuant to Section 1.1206 of the Commission’s rules, this letter is being filed via ECFS, and a copy will be provided via email to the attendees. As a result of an administrative error, this letter was not timely filed in the above-captioned dockets. Accordingly, PCIA is filing this letter immediately and has notified the FCC Office of General Counsel. Please do not hesitate to contact the undersigned with any questions.

Sincerely,

/s/

Jonathan M. Campbell
Director, Government Affairs
PCIA—The Wireless Infrastructure Association
901 N. Washington St., Suite 600
Alexandria, VA 22314

Cc: Jeffrey Steinberg, Dan Abeyta, Don Johnson, Stephen DelSordo, Peter Trachtenberg

⁵ Broadband Acceleration Comments at 50-51.

⁶ See Comments of PCIA—The Wireless Infrastructure Association, WT Docket No. 10-88, RM 11349 (July 20, 2010).